

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH KENTUCKY RURAL ELECTRIC
COOPERATIVE CORPORATION

)
)
) CASE NO. 89-244
)
)
)

ALLEGED VIOLATION OF 807 KAR
5:006, SECTION 24

ORDER TO SHOW CAUSE

On June 9, 1989, the South Kentucky Rural Electric Cooperative Corporation ("South Kentucky") notified the Commission of a fatal accident occurring to Jeffrey Clark, a member of a crew replacing a 35' pole with a 40' pole for South Kentucky on June 8, 1989. South Kentucky learned of the accident at 4:45 p.m., Central Daylight Time, June 8, 1989.

From the Commission's investigation and the report thereof, attached hereto as Appendix A and incorporated by reference as if fully set forth herein, the Commission finds a prima facie showing has been made that South Kentucky failed to promptly notify the Commission of the fatal accident in violation of 807 KAR 5:006, Section 24.¹

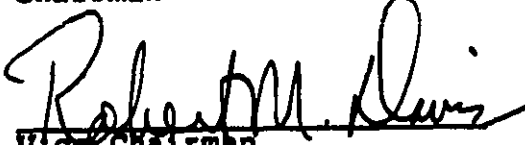
¹ "Promptly" means "immediately." See Case No. 9988, Fleming-Mason Rural Electric Cooperative Corporation and Continental Telephone Company of Kentucky -- Alleged Failure to Comply with the Commission's Regulation 807 KAR 5:006, Section 24.

IT IS THEREFORE ORDERED that South Kentucky shall appear at a hearing scheduled for October 6, 1989 at 10:00 a.m., Eastern Daylight Time, in Hearing Room No. 1 at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence on the alleged violation of 807 KAR 5:006, Section 24, and to be prepared to show cause why South Kentucky should not be penalized under KRS 278.990 if such violation is found to have occurred.

Done at Frankfort, Kentucky, this 8th day of September, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 89-244 DATED 9/8/89

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 8-9-89 SUBMITTED BY Elie El-Rouaiheb
NAME OF UTILITY South Kentucky RECC
ACCIDENT REPORTED BY Eddie Owens
DATE & TIME UTILITY LEARNED OF ACCIDENT 4:45 P.M. 6-8-89
DATE & TIME ACCIDENT REPORTED 8:22 A.M. 6-9-89
DATE AND TIME ACCIDENT OCCURRED 4:45 P.M. 6-8-89
DATE OF ACCIDENT INVESTIGATION 6-9-89
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 6-13-89
PERSONS ASSISTING IN THE INVESTIGATION Eddie Owens and Walter West of
South Kentucky RECC.

NAME OF VICTIM(S) 1. Jeffery Clark SEX M AGE 24
FATAL Yes NAME OF EMPLOYER: Current Construction Company
INJURIES _____

2. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

3. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Route 2, Albany, Kentucky.

DESCRIPTION OF ACCIDENT Mr. Jeffery Clark, an employee of Current Construction Company, was one of the crew replacing a 35' pole by a 40' new pole. The new pole got into contact with the 7,200 volt primary line which was energized. As a result, the new pole and the digger truck, which was used to raise the pole, were energized. Mr. Clark was wearing rubber gloves at the time of the accident. According to the Coroner's Autopsy Report Mr. Clark died as a result of electrocution.

SOURCE OF INFORMATION Eddie Owens and Walter West of South Kentucky RECC, South Kentucky RECC's Report, and an onsite investigation.

VIOLATIONS OF COMMISSION REGULATIONS The utility did not promptly notify the Commission staff, as is required of all fatal accidents by 807 KAR 5:006, Section 24.

RECOMMENDATIONS It is recommended that the Commission consider action against the utility in accordance with KRS 278.990(1).

CORRECTIVE ACTION None

None

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>28'-11"</u>	<u>20'</u>
Neutral conductor to ground elevation:	<u>25'-7"</u>	<u>18'</u>
Communication conductor to ground elevation:	<u>19'-4"</u>	<u>18'</u>
Telephone Crossarm with open wire	<u>21'-3"</u>	<u>18'</u>
B. SERVICE DROP		
Phase conductor to ground elevation:	<u>23'-10"</u> <u>22'-8"</u>	<u>12'</u> <u>12'</u>
Neutral conductor to ground elevation:	<u>25'-7"</u>	<u>12'</u>
Communication conductor to ground elevation:	<u>16'-9"</u>	<u>8'</u>

Date the line or facilities were constructed: 1950

Utility: South Kentucky RECC

Date: 6-9-89 Time 2:00 P.M.

Approximate temperature: 75 Degrees F

Measurements made by: Walter West

Submitted by: Elio H. Rosenthal

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JUN 13 1989

DIVISION OF UTILITY
ENGINEERING & SERVICE**ACCIDENT REPORT:** By Don Alexander**DATE:** June 8, 1989**TIME:** Approximately 16:45 - 17:00 C.S.T.**PLACE:** Clinton Co. - Adams Dock Rd. 4 or 5 spans below
the Oil Refinery by Basil Bell's Residence -
Location #18-17-78-005**WEATHER** - Temperature approximately 67° with intermittent rain.**WORK** - Changing out a single phase pole that had been rejected as
bad - going 5 feet higher.**RECEIVED NOTICE** - Somerset Dispatcher, Rick Dalton, heard contractor
call for help - He called Paul Brummett, Lead Serviceman at
Albany, who called the ambulance.**PRESENT AT THE TIME OF ACCIDENT** - Foreman-Eugene Bray, Mike Hunter,
Jeff Clark, and Al Haynes. Current Construction Company,
c/o Bill Long, P.O. BOX 636, Lancaster, Ky. 40444.**VICTIM** - Jeffrey Clark, age 24, groundman - Approximately 3 years
experience (with Bill Long about 1 year and had worked for
Phelps Construction Company)**AFTER ACCIDENT** - Paul Brummett got to the scene while ambulance was
loading.**AT APPROXIMATELY 19:30 PM (CST)** - Don Alexander, Walter West, Eddie
Owens, Paul Brummett, Tony Bertram, Mitchell Staten, County
Coroner Weldon Haddix and Eugene Bray, Crew Foreman, went to
the scene.**PICTURES** - were taken

OBSERVATIONS - Phase wire was stranded approximately 10-12 feet from the pole on the take off side. Pole being changed was in a field, one span from the three phase and was a 7200 KV to ground single phase A 1 and had a 10 KVA with a (3) wire service to Basil Bell's house. It had a telephone crossarm with open wire on each side of the crossarm. The new pole possibly had a burn mark approximately 8 inches below pole top bracket. The old pole ground appeared to be "broken" into. The digger truck was parallel to the single phase line approximately 15 feet out in the field. A bucket truck was nearly under the line toward the take-off and where it would not reach the pole top. The primary line was energized and the transformer was energized. The rubber gut had been removed and Jeff's rubber gloves were locked inside the bucket truck.

WORK ORDER - 2-20382

STATEMENT BY CREW FOREMAN (Eugene Bray) - They intended to change this pole out and quit work for the day. The hole was dug beside the old pole. The crew foreman was running the digger truck. The new pole had to be worked in between the open wire telephone and was 5 feet higher than the old pole. The Victim was at the butt of the new pole helping to control it. He had on rubber gloves. The foreman said they had used the bucket to put one rubber gut for cover-up on the take-off side. The foreman said they had difficulty in positioning the pole and he saw "fire" at the phase near where the strand was observed after the

accident. He said the outrigger on the truck also had fire flying. Jeff Clark said "I'm burned" and turned toward the digger and went partially down. He got up, took a few more steps to the truck and collapsed. Eugene said that he did CPR on Jeff twice and that he was breathing and he felt that his heart was still beating (but maybe erratic.) When they started setting the new pole, the primary line was energized but they had the transformer on the pole de-energized. There was a 30 Amp fuse at the take-off, one span away. It blew and Paul Brummett replaced it when he arrived and could.

The Coroner, Weldon Haddix, and the Physician, Dr. Cummins, at the Albany Hospital where Jeff was taken said that they found no burn marks on the body. The coroner ordered an autopsy done at Lexington.

JUNE 9, 1989 - Public Service Commission Representative went to Albany with Eddie Owens. Walter West met them there. They took measurements.

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COMMONWEALTH OF KENTUCKY

Justice Cabinet

OFFICE OF THE ASSOCIATE CHIEF MEDICAL EXAMINER

University of Kentucky Medical Center Department of Pathology
Lexington, Kentucky 40536-0093
(606) 233-3426

AUG 07 1989

DIVISION OF UTILITY
ENGINEERING & SERVICES

AUTOPSY REPORT

Case No. UE 89-06-143

Name Clark, Jeffery Wayne Age 24 Race White Sex Male

Address Monticello, Kentucky

Pronounced (CDT)
Date and Time of: Death 1:30 p.m. 6-8-89 Autopsy 6-9-89 1:15 p.m. - 3:30 p.m.

Autopsy Authorized by: Mr. Waldon Haddix, Coroner, Clinton County

Body Identified by: Accompanying papers

Prosecutor: Dr. Hunsaker Site of Examination: U.K.H.C.

Witnesses: Mr. Jeff Vincent, Employee of Waldon-Haddix Funeral Home, Albany, Kentucky

Autopsy Technician: Ms. Winnie Stanton

CAUSE OF DEATH: ELECTROCUTION (HIGH VOLTAGE-INDIRECT CONTACT)

MANNER OF DEATH: ☐ Natural Causes ☒ Accident ☐ Suicide
☐ Homicide ☐ Undetermined

6-22-89
Date Signed

John C. Hunsaker
Medical Examiner M.D.

COMMONWEALTH OF KENTUCKY
 Justice Cabinet
OFFICE OF THE ASSOCIATE CHIEF MEDICAL EXAMINER
 University of Kentucky Markey Cancer Center Department of Pathology
 Lexington, Kentucky 40536-0093
 (606) 233-5426

Recommended formulation for Parts I and II on Certificate of Death:

ITEMS 20-27 MUST BE COMPLETED BY PERSON WHO PRODUCE DEATH	20. TIME OF DEATH 5:30 P (CDT)	21. DATE PRONOUNCED DEAD (Month, Day, Year) 6/8/89	27. WAS CASE REFERRED TO MEDICAL EXAMINER/GOVERNMENT (Yes or No) Yes
22. PART I. Give the precise, nature, or circumstances that caused the death. Do not enter the cause of death, but do enter the immediate cause of death. (If more than one cause, list the cause of death first.) IMMEDIATE CAUSE (First) a. Electrocution (High Voltage-Indirect Contact) DUE TO (OR AS A CONSEQUENCE OF):		APPROXIMATE INTERVAL BETWEEN CAUSE AND DEATH Minutes	
b. _____ DUE TO (OR AS A CONSEQUENCE OF):			
c. _____ DUE TO (OR AS A CONSEQUENCE OF):			
23. SECONDARY NOT CONSIDERED, if any, leading to immediate cause. Enter LONGEST TIME CAUSE (Cause of injury that produced events resulting in death) LAST			
28. MANNER OF DEATH <input type="checkbox"/> Homicide <input type="checkbox"/> Pending Investigation <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Could Not Be Determined <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide		29. DATE OF INJURY (Month, Day, Year) 6/8/89	30. TIME OF INJURY ABT. (CDT) 4:30 P
		31. WAS AN OUTPOST PERFORMANCE (Yes or No) Yes	32. WERE OUTPOST FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH (Yes or No) Yes
		33. INJURY AT WORK? (Yes or No) Yes	34. DESCRIBE HOW INJURY OCCURRED Electric Worker Handling pole that contacted wire line.
		35. PLACE OF INJURY - At Home, Farm, School, Factory, Office Building, etc. (Specify) Rural Area in Field	36. LOCATION (Street and number or Rural Route Number, City or Town) Rural Area near KY Clinton County, Kentucky

CLARK, JEFFERY W.
 ME 89-06-143

(Portion of FORM V-2, No. 1-A (Rev. 9/87))

CONCLUSION

In my opinion, Mr. Clark died as a result of electrocution (high voltage-indirect contact)

According to Coroner Haddix, the decedent was employed as an electrician by the Current Construction Company, working with several other employees of that company in a rural area on a field next to an individual's residence off Highway 738, 3 miles south of Albany, Kentucky, during the late afternoon hours of 6-8-89. At around 4:30 p.m. on that date (CDT), the decedent was in the process of handling the bottom end of a replacement utility pole, at which time he was noted to stagger back and to utter "I've Been Burnt." Observers and investigators opined that the replacement pole top probably came into contact with the telephone and high-voltage line at that time. Immediately thereafter, the decedent fell to the ground, arose to take several steps, and finally collapsed beside the trunk, apparently lapsing into unconsciousness. CPR was instituted, continued for approximately 1 hour thereafter without success, and the decedent was formally pronounced dead at 5:30 (CDT) p.m. on that date, approximately 1 hour after the incident.

The principal findings at necropsy, to which the decedent's death is attributed, are non-specific, but consistent with the conclusion that the decedent died as a result of electrocution by indirect contact with high voltage line. Specifically, examination of the decedent's clothing, work implements, and body surface areas displayed no definite areas of "current marks," or any areas of scorching/burning of the clothing or the decedent's skin. Consistent with electrocution however, was the finding of

CLARK, JEFFERY W.
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CLOTHING EXAMINATION: When first viewed, the decedent is clad in a pair of white underwear briefs, which are slightly moist and have a patchy light brown stain in the midline. Received separately with the body are the following items of clothing: multicolored (brown/green/khaki) army camouflage-type pants, showing extensive resuscitation-related scissors cuts; adjacent to the medial aspect of the right upper front pocket is a cluster of punctate and slightly larger perforations of cloth, ranging in size from 1/16 inch up to 5/8 inches in greatest surface dimension, overall measuring up to 4 inch in diameter field in that region; no burning or scorching is noted in the region of the cloth defects; heavy duty brown knee-high work boots, moderately moist and muddy, with red muddy clay embedded on the soles bilaterally admixed with strands of weeds and grass; no defects are noted on the boots; light gray heavy duty work socks with upper blue stripes; received in a separate plastic bag is a heavy duty brown leather belt, to which multiple brown leather holsters are attached, variably containing various large instruments, including gray metal wrenches, large wire cutters, and a gray metal screw driver with black/orange handle; no defects are noted on the metal instruments or the belt itself.

All of the above-listed items are delivered to the custody of the funeral home representative removing the body following necropsy.

EVIDENCE OF THERAPY: Needle punctures are present at the following sites: three in the right subclavian region; two on the back of the right hand, several on the back of the left hand, one on the flexor left wrist, approximately 5 in the left inguinal region, and two each on the backs of both right and left feet, respectively.

Curvilinear pale brown cutaneous defibrillation marks are present on the chest, one located in the upper left parasternal region, having semicircular configuration and measuring up to 2 5/8 inches in diameter; the defect consists of a series of light brown scabbed cutaneous abrasions, arranged in skip-type fashion to form the semicircle, with extension inferiorly and right laterally across the sternal region as a transverse line, measuring up to 4 1/2 inches long. A slightly curved light brown oblique (superior-left) cutaneous impression is present in the upper left chest, situated approximately 1 inch to the left by intact epidermis from the lower curve of the previously described cutaneous mark. Patchy pale brown cutaneous abrasions are present in the mid-lower sternal region of the chest, and a 5 inch in diameter slightly curved defibrillation mark of skin is present in the left lower lateral chest.

AUTOPSY PROTOCOL:

The body is that of a well developed, well nourished moderately-markedly obese adult white male, measuring 5 feet 9 inches and weighing an estimated 320 (±10) pounds. His appearance is consistent with the reported age of 24 years.

EXTERNAL EXAMINATION:

A light tan cutaneous hue (suntan) is present on the face, neck, arms and major portion of the trunk.

HEAD: The scalp is covered by brown hair, arranged in a pattern of slight frontal balding and measuring up to 9 inches long, forming a "pony tail" in the back wrapped in a circular braid. A 1 1/4 inch longitudinal linear cutaneous scar is present in the left mid frontal region, at the hairline. Prominent amounts of mucosanguineous fluid exude from both nares, following gravity over the mid facial

CLARK, JEFFERY W.
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MESOTHELIAL SURFACES: The pleural cavities bilaterally are diminished in volume, secondary to moderate elevation of both hemidiaphragms, in turn secondary to moderately prominent intraabdominal adiposity. Smooth and glistening, with the exception of focal fibrous pleural adhesions within the upper posterior and mid lateral aspect of the right pleural cavity. There are no abnormal accumulations of fluid. The intact pericardial sac has a smooth glistening lining, and its cavity contains an estimated 12 ml. of yellow/brown serous fluid.

NOTA BENE: "UNK." means unremarkable, i.e., that the organ is "normal" in shape, size, consistency, color and gross morphology. Injuries of otherwise normal organs are described above, if applicable. Details are in the separate case file folder.

HEART: Weight: 455 gms. Epicardial surfaces are smooth and glistening with mild-moderate epicardial adiposity. Rare violaceous epicardial petechiae are noted on all surfaces. Extramural coronary arteries arise and branch normally with a left-dominant distribution; the right coronary artery is hypoplastic, with a markedly diminished caliber (no greater than 1/16 inch in diameter proximally), and without extension to the cardiac crus. Within the proximal-mid segment of the LAD coronary artery there is a focal zone, measuring up to 1 1/2 inches long, of subepicardial intramyocardial coronary artery bridge formation, extending below the epicardial surface for a distance of up to 1/8 inch. Coronary arteries are widely patent. Foramen ovale is closed. Endocardial surfaces are smooth and glistening. Cardiac valves are intact and freely flexible, free of vegetations with normal coaptation. Rare, punctate pale yellow atheromas are present within the aortic valvular sinuses of valsalva. The myocardium is uniformly violet/brown, and slightly soft, exhibiting mild vascular hyperemia, without hemorrhage or necrosis, measuring up to 1.75 cm. in thickness in the left lateral free wall and interventricular septum, and up to 0.3 cm. in the right ventricle. The intact aorta demonstrates smooth glistening endothelial surfaces; all major branches are widely patent.

LUNGS: Combined weight: 1030 gms. The lungs fully occupy their respective pleural cavities. Pleural surfaces are light violet/pink anteriorly and violaceous (livid) posteriorly, exhibiting rare visceral pleural petechiae bilaterally (dark blue) associated with mild anthracotic pigment mottling. Pulmonary arteries and veins: patent, intact, UNK. Cut surfaces of the mainstem bronchi contain small amounts of maroon liquid; bronchial mucosa is smooth and glistening, uniformly light violet/maroon, free of petechiae. On section, the lungs are subcrepitant, uniformly maroon, oozing moderate amounts of edema fluid with compression. Hyperemia is generalized and marked. No evidence of masses or consolidation. Hilar and mediastinal lymph nodes: mild anthracosis: UNK.

NECK ORGANS: UNK., with the following exceptions: small, non-occlusive amounts of maroon mucosanguineous fluid extend from larynx to trachea to carina; mucosa is smooth and glistening, with the exception of focal blue/purple mucosal hemorrhage within the subglottic regions of the larynx bilaterally (?intubation), associated with light violet mucosa from larynx to carina and rare, bright red mucosal petechiae in the same regions; the thyroid gland is of normal size and shape; on section, the colloid is uniformly maroon; within the parenchyma of the right lower pole is situated a well circumscribed firm tan nodule, measuring 3/8 inches in diameter; centrally, small punctate and slightly larger cystic structures are present, associated with focal fine calcification. No hemorrhage or other fibrosis is noted. No lacerations or contusions of the tongue. No fractures present.

Name: Jeffery E. Clark Case No: 89-06-143
Race: _____ Age: 24 Date: 6/9/89



